



General Assembly

February Session, 2012

***Raised Bill No. 84***

LCO No. 672

\*00672\_\_\_\_\_ENV\*

Referred to Committee on Environment

Introduced by:  
(ENV)

***AN ACT CONCERNING OUTDOOR WOOD FURNACES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-174k of the general statutes is repealed and  
2 the following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) For purposes of this section, "outdoor wood-burning furnace"  
4 means an accessory structure or appliance designed to be located  
5 outside living space ordinarily used for human habitation and  
6 designed to transfer or provide heat, via liquid or other means,  
7 through the burning of wood or solid waste, for heating spaces other  
8 than where such structure or appliance is located, any other structure  
9 or appliance on the premises, or for heating domestic, swimming pool,  
10 hot tub or jacuzzi water. "Outdoor wood-burning furnace" does not  
11 include a fire pit, wood-fired barbecue or chiminea.

12 (b) No person shall, from July 8, 2005, to the effective date of  
13 regulations promulgated by the United States Environmental  
14 Protection Agency to regulate outdoor wood-burning furnaces,  
15 construct, install, establish, modify, operate or use an outdoor wood-  
16 burning furnace, unless (1) the outdoor wood-burning furnace was

17 constructed, installed, established, modified, operated or in use prior  
18 to July 8, 2005, or (2) the outdoor wood-burning furnace complies with  
19 the following:

20 (A) Installation of the outdoor wood-burning furnace is not less  
21 than two hundred feet from the nearest residence not serviced by the  
22 outdoor wood-burning furnace;

23 (B) Installation of the chimney of the outdoor wood-burning furnace  
24 is at a height that is more than the height of the roof peaks of the  
25 residences that are located within five hundred feet of the outdoor  
26 wood-burning furnace, which residences are not serviced by the  
27 outdoor wood-burning furnace, provided the chimney height is not  
28 more than fifty-five feet;

29 (C) No other materials are burned in the outdoor wood-burning  
30 furnace other than wood that has not been chemically treated; and

31 (D) Installation and operation of the outdoor wood-burning furnace  
32 is in accordance with the manufacturer's written instructions, provided  
33 such instructions do not conflict with the provisions of this section.

34 (c) No person shall operate or use an outdoor wood-burning furnace  
35 during the period beginning May first and ending September thirtieth.

36 ~~[(c)]~~ (d) The provisions of this section shall be enforced by the  
37 Commissioner of Energy and Environmental Protection and may be  
38 enforced by the municipality affected by the operation or potential  
39 operation of an outdoor wood-burning furnace.

40 ~~[(d)]~~ (e) Any person who operates an outdoor wood-burning  
41 furnace in violation of this section shall be deemed to have committed  
42 an infraction and shall be fined not more than ninety dollars. Each day  
43 of operation of such outdoor wood-burning furnace in violation of this  
44 section shall be a separate violation.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2012</i>	22a-174k
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***Statement of Purpose:***

To prohibit the use of wood-burning furnaces between May first and September thirtieth.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*